

Dated: November 22, 2013



*George B. Nielsen*

George B. Nielsen, Bankruptcy Judge

**SKIBA LAW GROUP, PLC**  
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 John N. Skiba, Esq. #022699  
 Counsel for the Debtor(s)

**IN THE UNITED STATES BANKRUPTCY COURT  
 IN AND FOR DISTRICT OF ARIZONA**

<b>In re:</b>	<b>Chapter 13 Proceedings</b>
<b>John Haskel Warner, Jr.,</b>	<b>Case No: 2:11-bk-02243-GBN</b>
<b>Debtor(s).</b>	<b>STIPULATED ORDER CONFIRMING          AMENDED CHAPTER 13 PLAN</b>

The Amended Chapter 13 Plan having been properly noticed out to creditors and any objection to confirmation having been resolved,

**IT IS ORDERED** confirming the Amended Plan of the Debtor as follows:

**(A) INCOME SUBMITTED TO THE PLAN.** Debtors shall submit the following amounts of future income to the Trustee for distribution under the Plan.

(1) Future Earnings or Income. Debtors shall make the following monthly Plan payments:

<u>Months</u>	<u>Amounts</u>
1-25	\$1,000.00
26-45	\$860.00

The payments are due on or before the 27<sup>th</sup> day of each month commencing February, 27, 2011. Debtor is advised that when payments are remitted late, additional interest may accrue on secured debts, which may result in a funding shortfall at the end of the Plan term. Any funding shortfall must be cured before the plan is deemed completed.

1 The Debtors shall provide, directly to the Trustee copies of their federal and state  
2 income tax returns for post-petition years within 30 days of filing them. The purpose  
3 is to assist the Trustee in determining any change in debtor's annual disposable  
4 income.

5 (2) Other Property. None.

6 In no event will the term of the Plan be reduced to less than 60 months, exclusive of  
7 any property recovered by the Trustee, unless all allowed claims are paid in full.

8 (B) **DURATION.** This Plan shall continue for 60 months from the first regular monthly  
9 payment described in Paragraph (A)(1) above. If at any time before the end of the  
10 Plan period all claims are paid, then the Plan shall terminate.

11 (C) **CLASSIFICATION AND TREATMENT OF CLAIMS.** All filed claims will be  
12 paid in full prior to entry of an order of discharge. Claims shall be classified and  
13 paid as listed below. The Plan and this Order shall not constitute an informal proof of  
14 claim for any creditor. The Trustee shall receive the percentage fee on the Plan  
15 payments pursuant to 28 U.S.C. § 586(e), then the Trustee will pay creditors in the  
16 following order:

17 (1) Administrative Expenses:

18 Attorney Fees. Attorney John Skiba of the Skiba Law Group, PLC shall be  
19 allowed total compensation of \$3,904.00. Counsel received \$2,394.00 prior to  
20 filing this case and will be paid \$1,510.00 by the Chapter 13 Trustee.

21 (2) Claims Secured by Real Property:

- 22 a. **Green Tree Servicing, LLC**, secured by a first deed of trust in the  
23 Debtor's residence, shall be paid the prepetition arrearage of \$4,135.14  
with 0.00% interest. Regular post-petition payments will be made directly  
by the Debtor to the secured creditor.
- b. **Green Tree Servicing, LLC's** interest in Debtor's residence, secured by a  
second deed of trust in the Debtors' residence, shall be paid the prepetition  
arrearage of \$210.61 with 0.00% interest. Regular post-petition payments  
will be made directly by the Debtor to the secured creditor.

1  
2 c. Superstition Springs Community Association, secured by a lien in  
3 Debtor's residence, shall be paid \$1,652.79 with 0.00% interest. All  
4 future community assessments shall be paid by Debtor directly to the  
5 Association.

6 d. Maricopa County Treasurer, secured by a lien in Debtor's residence  
7 shall be paid \$3,322.74 with 16.00% interest.

8 (3) Claims Secured by Personal Property:

9 a. None.

10 (4) Unsecured Priority Claims:

11 a. None.

12 (5) Surrendered Property:

13 a. Upon confirmation of this plan or except as otherwise ordered by the  
14 Court, bankruptcy stays are lifted as to collateral to be surrendered. Such  
15 creditor shall receive no distribution until the creditor timely files a claim  
16 or an amended proof of claim that reflects any deficiency balance  
17 remaining on the claim. Assuming the creditor has an allowed proof of  
18 claim, should the creditor fail to file an amended proof of claim consistent  
19 with this provision, the Trustee need not make any distributions to that  
20 creditor. Debtors surrender the following property: None.

21 (6) Other Provisions: None.

22 (7) Unsecured Nonpriority Claims: All other claims shall be classified as unsecured  
23 and nonpriority. Such claims shall be paid pro rata the balance of the payments  
under the Plan may be discharged as provided in 11 U.S.C. § 1328.

(D) **EFFECTIVE DATE AND VESTING.** The effective date of the Plan shall be the  
date of this Order. Property of the estate vests in Debtors upon confirmation.

ORDER SIGNED AND DATED ABOVE

1 Approved as to Form and Content By:

2  
3  
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5 Edward J. Maney  
Chapter 13 Trustee

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7  
8 John N. Skiba, Esq.  
Attorney for Debtors

9 Lori A. Lewis, Esq.  
Attorney for Maricopa County Treasurer

10  
11  
12 Debtor certifies that all required State and Federal income tax returns have been filed. No  
13 domestic support obligation is owed, or if owed, such payments are current since the filing of the  
14 Petition.

15  
16 John Warner

ORDER SIGNED AND DATED ABOVE

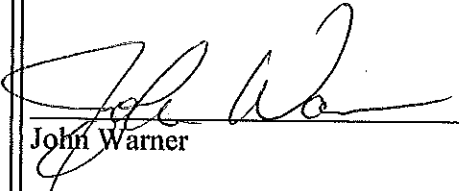
Approved as to Form and Content By:

Edward J. Maney  
Chapter 13 Trustee

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Attorney for Maricopa County Treasurer

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John Warner